

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

Atty Dkt. GRT/4662-2

C# M#

In re Patent Application of

Confirmation No. 3062

HEYDEN et al

T.C./A.U.: 1614

Serial No. 10/525,959

Examiner: M.A. Audet

Filed: February 28, 2005

Date: March 5, 2008

Title: NUTRITIONAL AND THERAPEUTIC COMPOSITION OF AN INSULIN
SENSITIZER AND A PEPTIDE FRACTION

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Correspondence Address Indication Form Attached.

NOTICE OF APPEAL

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences
from the last decision of the Examiner twice/finally rejecting \$510.00 (1401)/\$255.00 (2401) \$
applicant's claim(s).

An appeal **BRIEF** is attached in the pending appeal of the \$510.00 (1402)/\$255.00 (2402) \$ 510.00
above-identified application .

Credit for fees paid in prior appeal without decision on merits -\$ ()

A reply brief is attached. (no fee)

Pre-Appeal Brief Request for Review form attached.

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$460.00 (1252)/\$230.00 (2252)
Three Month Extensions \$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions \$1640.00 (1254)/\$820.00 (2254) \$ 460.00

"Small entity" statement attached.

Less month extension previously paid on -\$ ()

TOTAL FEE ENCLOSED \$ 970.00

CREDIT CARD PAYMENT FORM ATTACHED.

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

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GRT:ap

NIXON & VANDERHYE P.C.
By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: _____ /Gary R. Tanigawa/ _____